

12/05/00



JC772 U.S. PTO

December 5, 2000

JC966 U.S. PTO
09/729226
12/05/00

Hon. Assistant Commissioner for Patents
Box Patent Appln
Washington, D.C. 20231

Re: New Nonprovisional Continuation, Division or Continuation-In-Part
Patent Application under 37 CFR §1.53(b) in U.S.
Applicant(s): TAYLOR-PAPADIMITRIOU, et al.
Title: ANTIGENS DERIVED FROM THE CORE PROTEIN OF THE HUMAN
MAMMARY EPITHELIAL MUCIN
Atty's Docket: TAYLOR=1F

Sir:

1. The present nonprovisional application is a [] Continuation
 Divisional [] Continuation-in-part of prior application No. 08/456,919. This application is not a CPA. The prior application is not being abandoned in favor of this application.
 Incorporation By Reference. The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied herewith, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

2. Attached herewith is the above-identified nonprovisional application under 37 CFR §1.53(b) for Letters Patent including:

- Specification (59 pages), claims (3 pages) and abstract (1 page). The specification is a copy of the substitute specification filed in prior application no. 08/456,919. The claims and abstract are new.
- 16 Sheets Drawings (Figures 1-13).
 Formal [] Informal
 Figs. 1-13 of the drawings are copies, as properly mounted fulltone prints on photographic paper, of those filed in prior application no. 08/456,919 on December 5, 2000.
 Figs. _____ of the drawings are new.
- Declaration and Power of Attorney (2 pages)
 Newly executed Copy from prior application.
- Preliminary Amendment
- Supplemental Preliminary Amendment
- Information Disclosure Statement with () references
- PTO-1449 or PTO-892 forms from prior application(s)
- A verified statement to establish small entity status under 37 CFR §1.9 and 37 CFR §1.27
- A verified statement claiming small entity status was filed on _____ in prior application no. _____. Status is still proper and desired.

If no declaration is attached, or the basic filing fee is not paid, accord this application a filing date, and notify counsel pursuant to 37 CFR §1.53(f).

Credit Card Payment Form, PTO-2038, authorizing payment in the amount of 710.00 is attached to cover:

The filing fee calculated as follows:

CLAIMS AS FILED				
FOR	NUMBER FILED	NUMBER EXTRA	RATE	BASIC FEE \$ 710.00
TOTAL CLAIMS	10 - 20=	0	x 18	0
INDEPENDENT CLAIMS	3 - 3=	0	x 80	0
<input checked="" type="checkbox"/> Multiple Dependent Claim Presented			x270	
<input type="checkbox"/> Reduction of 1/2 for small entity			- \$	
		TOTAL FILING FEE		\$ 710.00

Any additional fee required by the filing of an enclosed preliminary or supplemental preliminary amendment has been calculated as shown below:

CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	CALCULATION
TOTAL *	MINUS **	=	x \$ 18.00	\$
INDEP *	MINUS ***	=	x \$ 80.00	\$
<input checked="" type="checkbox"/> Multiple Dependent Claim Presented		x \$270.00		\$
Total of Above Calculations =				\$
Reduction by 1/2 for filing by small entity			- \$	
Total Additional Fee =				\$

 Return Receipt Postcard (in duplicate)

3. The following inventor(s) were named in the prior application:

FULL NAME OF INVENTOR	FAMILY NAME	FIRST NAME GIVEN	SECOND NAME GIVEN
	TAYLOR-PAPADIMITRIOU	Joyce	
RESIDENCE & CITIZENSHIP	CITY	STATE OR COUNTRY	CITIZEN OF
	Berkhamsted	England	United Kingdom
POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	ST. & ZIP/COUNTRY
	9, Cedar Road	Berkhamsted	Hertfordshire, England
FULL NAME OF 2ND INVENTOR	FAMILY NAME	FIRST NAME GIVEN	SECOND NAME GIVEN
	GENDLER	Sandra	
RESIDENCE & CITIZENSHIP	CITY	STATE OR COUNTRY	CITIZEN OF
	London	England	United States of America
POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	ST. & ZIP/COUNTRY
	20, St. James Mansions	London	England
FULL NAME OF 3RD INVENTOR	FAMILY NAME	FIRST NAME GIVEN	SECOND NAME GIVEN
	BURCHELL	Joy	
RESIDENCE & CITIZENSHIP	CITY	STATE OR COUNTRY	CITIZEN OF
	Uckfield	England	United Kingdom
POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	ST. & ZIP/COUNTRY
	4, White Cottages	Uckfield	East Sussex, England
FULL NAME OF 4TH INVENTOR	FAMILY NAME	FIRST NAME GIVEN	SECOND NAME GIVEN
RESIDENCE & CITIZENSHIP	CITY	STATE OR COUNTRY	CITIZEN OF
POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	ST. & ZIP/COUNTRY

(The latest inventor signed \$1.63 Declaration in the parent application or its predecessors is hereby incorporated by reference. In the event of discrepancy between the Declaration and the list above, the Declaration controls and the list above is amended accordingly.)

- The inventors of the present application are the same as those on the prior application.
- Please delete the following inventors who were named on the prior application, but are not inventors of the invention being claimed in the present application: _____

[] The following additional inventors are to be named on the instant application: _____

4. [X] The benefit under 35 USC §119 is claimed of the filing date of: Application No. 8700269 in Great Britain on January 7, 1987. A certified copy of said priority document was filed in progenitor case 07/041,306 on April 18, 1988.
Application No. 8700279 in Great Britain on January 7, 1987. A certified copy of said priority document was filed in progenitor case 07/041,306 on April 18, 1988.
Application No. 8726172 in Great Britain on November 9, 1987. A certified copy of said priority document was filed in progenitor case 07/041,306 on April 18, 1988.
5. [X] Amend the specification by inserting before the first line the sentence:
--This is a division of copending parent application Serial No. 08/456,919 filed June 1, 1995, which is a division of U.S. Serial No. 08/134,992, filed October 12, 1993, now abandoned, which is a continuation of U.S. Serial No. 07/381,663, filed September 7, 1989, now abandoned, which is the national stage of PCT/GB88/00011, filed January 7, 1988, now abandoned, which is a continuation-in-part of U.S. Serial No. 07/041,306, filed April 22, 1987, now abandoned, all hereby incorporated by reference. It is related to 08/457,485, filed June 1, 1995, which is a division of 08/134,992 above.--
6. [X] Certain documents were previously cited or submitted to the Patent and Trademark Office in the following prior application 08/456,919, which is relied upon under 35 USC §120. Applicants identify these documents by attaching hereto one or more form PTO-1449 and/or form PTO-892 listing these documents, and request that they be considered and made of record in accordance with 37 CFR §1.98(d). Per 37 CFR §1.98(d), copies of these documents need not be filed in this application.

While an IDS filed under §1.97 must contain a "list of all patents, publications or other information submitted for consideration by the Office", see §1.98(a)(1), the only requirement for the list is that it provide the information set forth in §1.98(b). There is no requirement that a form PTO-1449 be used (MPEP §609 merely says that use of this form is "encouraged") and no prohibition on submitting a copy of a form PTO-1449 or form PTO-892 from a prior case. Indeed, the re-use of such forms is desirable as it avoids error in transferring the information, and evidences that the reference was considered in a prior application. A previously accepted PTO-1449, or an examiner-prepared PTO892, necessarily complies with §1.98(b).

7. If reliance is made on a declaration filed in a prior application, then
[] The undersigned attorney of record hereby revokes the powers of attorney of:

— G. KEVIN TOWNSEND, Reg. No. 34,033	— JOHN E. TARCZA, Reg. No. 33,638
— JEROME J. NORRIS, Reg. No. 24,696	— RONALD R. SNIDER, Reg. No. 24,962
— TERRELL P. LEWIS, Reg. No. 29,227	— SANDY LIVNAT, Reg. No. 33,449
— BARRY A. EDELBERG, Reg. No. 31,012	— THERESA BANTA, Reg. No. 34,543
— ROBERT K. CARPENTER, Reg. No. 34,794	— WM. D. JOHNSTON, Reg. No. 27,806

- [] The undersigned attorney of record hereby appoints associate power of attorney, to prosecute this application and to transact all business in the Patent and Trademark Office in connection therewith to:
— IVER P. COOPER, Reg. No. 28,005 — NORMAN J. LATKER, Reg. No. 19,963
— *ALLEN C. YUN, Reg. No. 37,971 — *NICK S. BROMER, Reg. No. 33,478
(* Patent Agent)

8. [X] The Commissioner is hereby authorized to charge payment of the following additional fees associated with this communication or credit any overpayments to Deposit Account No. 02-4035:
[X] Any additional filing fees required under 37 CFR §1.16.
[X] Any patent application processing fees under 37 CFR §1.17.

[X] The Commissioner is hereby authorized to charge payment of the following fees, based on any paper filed during the pendency of this application or any CPA thereof, to effect any amendment, petition, or other action requested in said paper or credit any overpayments to Deposit Account No. 02-4035:
[X] Any patent application processing fees under 37 CFR §1.17.
[] The issue fee set in 37 CFR §1.18 at or before mailing the Notice of Allowance, pursuant to 37 CFR §1.311(b).
[X] Any filing fees under 37 CFR §1.16 for presentation of extra claims.
[X] If a paper is untimely filed in this or any CPA thereof by Applicant(s), the Commissioner is hereby petitioned under 37 CFR. §1.136(a) for the minimum extension of time required to make said paper timely. In the event a petition for extension of time is made under the provisions of this paragraph, the Commissioner is hereby requested to charge any fee required under 37 CFR §1.17 to Deposit Account 02-4035.

The Commissioner is hereby authorized to credit any overpayment of fees accompanying this paper to Deposit Account No. 02-4035.

9. While this application is a division of 08/456,919, its subject matter is most closely related to that examined in 08/457,485.

10. Please direct all correspondence in this case to the address associated with Customer Number 001444, which is presently the address set forth below.

Respectfully submitted,
BROWDY AND NEWMARK, P.L.L.C.

By:


Peter P. Cooper
Registration No. 28,005
Filed under 37 CFR 1.34(a)

624 Ninth Street, N.W.
Washington, D.C. 20001
Telephone: (202) 628-5197
Facsimile: (202) 737-3528
IPC:lms
f:\user19\wp\j-m\tay1fus.53b